

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS  
MARIJUANA REGULATORY AGENCY

In the Matter of

Pharmaco, Inc.  
ERG-000091

CMP-20-001178

License Nos.: PC-000267, PC-000261, PC-000260, PC-000259, PC-000249,  
PC-000232, PC-000226, PC-000205, GR-C-000465, GR-C-000464,  
GR-C-000463, GR-C-000457, GR-C-000376, and GR-C-000286  
ENF-20-00150

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On December 8, 2020, the Marijuana Regulatory Agency (MRA) issued a formal complaint against the medical marijuana facility licenses (PC-000267, PC-000261, PC-000260, PC-000259, PC-000249, PC-000232, PC-000226, PC-000205, GR-C-000465, GR-C-000464, GR-C-000463, GR-C-000457, GR-C-000376, and GR-C-000286) of Pharmaco, Inc (“Respondent”) under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated MCL 333.27504(1) and Mich Admin Code, R 333.271(1)(a), R 333.282(2), R 333.282(3).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that the allegations contained in the formal complaint are true and that Respondent violated MCL 333.27504(1) and Mich Admin Code, R 333.271(1)(a), R 333.282(2), and R 333.282(3).

Accordingly, for these violations, IT IS ORDERED:

1. Oakshire Holdings Limited, Fernando Di Carlo, Simonetta Di Carlo, James Skinner, and Stephanie Skinner each shall sell enough of their interest in Respondent so that they no longer meet the present criteria to be deemed an applicant, supplemental applicant, or otherwise subject to a background investigation in an application for a marijuana business license in the State of Michigan. Respondent shall provide an executed copy of the documents demonstrating compliance with this term within 30 days of the effective date of this order.
2. Oakshire Holdings Limited, Fernando Di Carlo, Simonetta Di Carlo, James Skinner, and Stephanie Skinner are permanently prohibited from applying for or otherwise seeking any medical or adult-use marijuana business license in the State of Michigan, exercising managerial control over any such business, or otherwise meeting the criteria to be deemed an applicant, supplemental applicant, or otherwise subject to a background investigation of any such business.
3. Respondent's license is subject to the following restrictions and conditions for a period of two years from the effective date of this order:
  - a) Respondent shall submit a report for each license Respondent holds confirming the identity of each person who meets the criteria to be an applicant, supplemental applicant, or otherwise subject to a background investigation for a marijuana business in the State of Michigan. Respondent shall file these reports on a quarterly basis via email to [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov), with the first report due three months after the effective date of this order, and subsequent reports due every three months thereafter for a period of two years.
4. Respondent must pay a fine in the amount of forty thousand dollars (\$40,000.00). This fine shall be paid within 30 days of the effective date of this order. The fine shall be paid by check or money order made payable to the State of Michigan with "ENF 20-00150" clearly displayed on the check or money order. Respondent shall mail the payment to Department of Licensing and Regulatory Affairs, Marijuana Regulatory Agency, P.O. Box 30205, Lansing, Michigan 48909.
5. If Respondent fails to timely pay the fine, Respondent's license shall be suspended until payment is received.

6. Unless otherwise specified in this order, Respondent shall direct any communications to the MRA that are required by the terms of this order to [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).
7. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
8. Respondent shall be responsible for the timely compliance with all terms of this consent order, including the timely filing of any documentation. Respondent's failure to comply within the time limitations provided will constitute a violation of this order. The MRA may, in its discretion, grant a written extension of any timeline set forth in this consent order on a case-by-case basis and in response to a written request from Respondent.
9. If Respondent violates any term or condition set forth in this order, Respondent will be subject to fines and/or other sanctions under MCL 333.27407(1) and Mich Admin Code, R 420.806.

This order shall be effective on the date signed by the MRA's executive director or his designee, as set forth below.

MARIJUANA REGULATORY AGENCY

Signed on: 2/3/22

By: Andrew Brisbo  
 Andrew Brisbo, Executive Director  
 Marijuana Regulatory Agency

Digitally signed by: Andrew Brisbo  
 DN: CN = Andrew Brisbo email =  
 brisboa@michigan.gov C = US O =  
 Marijuana Regulatory Agency OU =  
 Executive Director  
 Date: 2022.02.03 13:55:29 -05'00'

## STIPULATION

The parties stipulate to the following:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, it does not admit the truth of the allegations but agrees that the Executive Director may treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MMFLA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 et seq., to require the MRA to prove the charges set forth in the formal complaint by presentation of evidence and legal authority, and to present a defense to the charges.
3. The parties considered the following in reaching this agreement:
  - a) Respondent's supplemental applicants—Oakshire Holdings Limited, Fernando Di Carlo, Simonetta Di Carlo, James Skinner, and Stephanie Skinner—agreed to no longer remain as supplemental applicants on Respondent's licenses; exercise managerial control over or hold an interest sufficient to meet the criteria to be deemed an applicant, supplemental applicant, or otherwise subject to a background investigation in an application on Respondent's licenses; or in the future apply for, otherwise seek, or meet the criteria to be an applicant, supplemental applicant, or otherwise subject to a background investigation on any application for any medical or adult-use marijuana business in the State of Michigan.
  - b) Respondent, Oakshire Holdings Limited, Fernando Di Carlo, Simonetta Di Carlo, James Skinner, and Stephanie Skinner understand and agree that any new application for a state

marijuana business license contrary to this consent order will be denied.

- c) This consent order and stipulation is a part of a comprehensive resolution of all of Respondent's outstanding formal complaints, license non-renewals, and license application denials.
- d) Respondent was cooperative and wished to resolve the allegations without the need for and expense of an administrative hearing.

4. The MRA's enforcement division director or her designee must approve this proposed agreement before it is forwarded to the MRA's executive director or his designee for review and issuance of the above consent order. The parties reserve the right to proceed to an administrative hearing without prejudice to either party, should the MRA's enforcement division director, executive director, or their designees reject the proposed consent order.

CONTINUED ONTO NEXT PAGE

By signing this stipulation, the parties confirm that they have read,  
understand, and agree with the terms of the consent order.

AGREED TO BY:

Julie Kluytman

Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
kluytman@michigan.gov C = US O =  
Marijuana Regulatory Agency  
Date: 2022.02.03 11:54:11 -05'00'

Julie Kluytman  
Enforcement Division Director  
Marijuana Regulatory Agency  
Dated: 2/3/22

AGREED TO BY:

Fernando Di Carlo, Authorized Officer  
On behalf of Respondent  
Pharmaco, Inc.  
Dated: \_\_\_\_\_

Fernando Di Carlo, Authorized Officer  
On behalf of  
Oakshire Holdings Limited  
Dated: \_\_\_\_\_

Fernando Di Carlo  
Dated: \_\_\_\_\_

Simonetta Di Carlo  
Dated: \_\_\_\_\_

James Skinner  
Dated: February 1, 2022

Stephanie Skinner  
Dated: February 1, 2022

Alyssa A. Grissom  
Alyssa A. Grissom (P82329)  
Assistant Attorney General  
Attorney for Complainant  
Dated: February 2, 2022

John Janiszewski  
John Janiszewski (P74400)  
Attorney for Respondent  
Dated: February 1, 2022



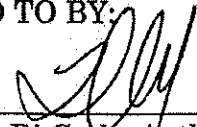
By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.


AGREED TO BY:

Julie Kluytman Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
kluytmanj@michigan.gov C = US O =  
Marijuana Regulatory Agency  
Date: 2022.02.03 11:54:37 -0500

Julie Kluytman  
Enforcement Division Director  
Marijuana Regulatory Agency  
Dated: 2/3/22

AGREED TO BY:

  
Fernando Di Carlo, Authorized Officer  
On behalf of Respondent  
Pharmaco, Inc.  
Dated: February 1, 2022


  
Fernando Di Carlo, Authorized Officer  
On behalf of  
Oakshire Holdings Limited  
Dated: February 1, 2022

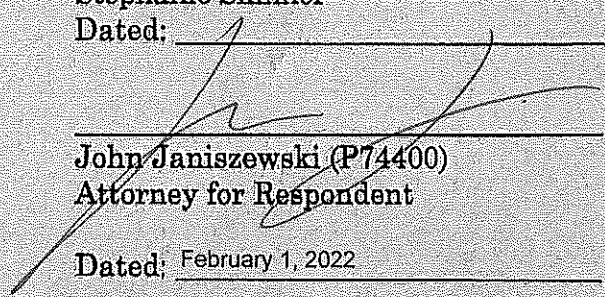
  
Fernando Di Carlo  
Dated: February 1, 2022

  
Simonetta Di Carlo  
Dated: February 1, 2022

James Skinner  
Dated: \_\_\_\_\_

Stephanie Skinner  
Dated: \_\_\_\_\_

  
Alyssa A. Grissom (P82329)  
Assistant Attorney General  
Attorney for Complainant  
Dated: February 2, 2022

  
John Janiszewski (P74400)  
Attorney for Respondent  
Dated: February 1, 2022

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MARIJUANA REGULATORY AGENCY

In the Matter of

Pharmaco, Inc.  
ERG No.: 000091  
ENF No.: 20-00150

CMP 20-001178

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against Pharmaco, Inc. (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or administrative rules.

2. Section 407(1) of the MMFLA provides...if a licensee no longer meets the eligibility requirements for a license under this act...the board may deny, suspend, revoke, or restrict a license.

3. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions on the license.

4. Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana facility operations.

5. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marijuana facility operations.

MARIJUANA REGULATORY AGENCY  
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909  
[www.michigan.gov/MRA](http://www.michigan.gov/MRA)

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## FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

6. Respondent holds active state operating licenses under the MMFLA to operate medical marihuana facilities in the state of Michigan.

7. This formal complaint is issued against Respondent and all medical marihuana state operating licenses held by Respondent, including but not limited to: PC-000267, PC-000261, PC-000260, PC-000259, PC-00249, PC-000232, PC-000226, PC-000205, GR-C-000465, GR-C-464, GR-C-000463, GR-C-000457, GR-C-000376, and GR-C-000286.

8. The MRA has issued Disciplinary Action Documents against the following licenses held by Respondent: PC-000249, PC-000261, PC-000260, PC-000267, and PC-000205 for numerous instances of noncompliance with the MMFLA and/or the administrative rules promulgated thereunder.

9. Following an investigation, the MRA determined that Respondent violated the MMFLA and/or administrative rules promulgated thereunder as set forth below:

- a. Respondent operated two businesses located at 11999 Gratiot Avenue, and 16433 West 8 Mile Road and those businesses were not licensed or authorized to operate by the MRA.<sup>1</sup>
- b. While Respondent operated the businesses at the two locations listed above, employees from the Gratiot Avenue location delivered marijuana products to 11901 Gratiot Avenue in Detroit, which is a nearby liquor store and not to the residential/home address of a registered qualifying patient or registered primary caregiver in violation of Mich Admin Code, R333.282(2)<sup>2</sup>.

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<sup>1</sup> Respondent submitted applications seeking licensure at the listed locations on July 15, 2019. Those applications were denied by the MRA on June 30, 2020.

<sup>2</sup> R 420.207(4)(a) of the Administrative Rules promulgated by the Marijuana Regulatory Agency on June 22, 2020.

- c. Respondent's employees also delivered marijuana products from the Gratiot Avenue location to an individual who had applied for, but had not been issued, a medical marijuana registry identification card, in violation of MCL 333.27504(1).
- d. Respondent's employees failed to verify in the statewide monitoring system (METRC) that the individual held a valid identification card as a registered qualifying patient or a registered primary caregiver in violation of, Mich Admin Code, R 333.271(1)(a)<sup>3</sup>, and Mich Admin Code, R 333.282(3)<sup>4</sup>.

10. Based on the above, Respondent lacks the personal and business probity to operate and maintain a marijuana facility and is thereby unqualified for licensure under MCL 333.27402(3)(a).

THEREFORE, based on the above, the MRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Under MCL 333.27407(4) and Mich Admin Code, 420.704(2), any party aggrieved by an action of the MRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the MRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 420.704(1) A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MMFLA and/or the administrative rules. A compliance conference request must be submitted to the MRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs  
Marijuana Regulatory Agency  
P.O. Box 30205

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3 R 420.505(1)(e) of the Administrative Rules promulgated by the Marijuana Regulatory Agency on June 22, 2020.  
4 R 420.207(5)(e)(i) of the Administrative Rules promulgated by the Marijuana Regulatory Agency on June 22, 2020.

Lansing, Michigan 48909

By E-Mail: MRA-LegalHearings@michigan.gov

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

Questions about this complaint should be directed to the Marijuana Regulatory Agency at (517) 284-8599 or [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).

Dated: 12/8/20

**MARIJUANA REGULATORY AGENCY**

By: Claire  
Patterson

Digitally signed by: Claire Patterson  
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Claire Patterson, Scientific and Legal Section Manager  
Enforcement Division

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